

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**RUBEN GIL, as Personal Representative
of the Estate of
GABRIEL ULYSSES GIL and
ISABEL MARIE GIL, deceased,**

Plaintiffs,

And

**ELMER U. CURRENCE,
as Personal Representative of the Estate of
KIMBERLY DAWN GIL, deceased,**

Plaintiff Intervenor,

vs.

Civil Action Number 1:06CV122

**FORD MOTOR COMPANY;
ELKINS FORDLAND, INC.;
TRW VEHICLE SAFETY SYSTEMS, INC.; and
JOHN DOE COMPONENT PART
MANUFACTURERS 1-5,**

Defendants.

In accord with the Court's Order dated October 18, 2007 [Docket Entry 206] granting Defendant Ford's Motion for Inspection and Disassembly of Certain Components of Subject Vehicle [Docket Entry 177] as modified therein and the Court not having heard on or before 9:00 am on this date from the parties, or either one of them, that the week delay had resulted in their reaching accord with respect to the protocol to be used for the inspection and disassembly of certain components of the subject vehicle, the Court hereby **ADOPTS** the existing protocol as proposed and filed with Defendants' motion as the protocol to be used in the inspection and disassembly of certain (specified) components of the subject vehicle. Adoption of said protocol shall not prevent the experts involved in the inspection and disassembly of the specified components of the subject vehicle, including but not

limited to experts for Plaintiffs and Intervenor who may be monitoring the same, from reaching agreement with each other during the removal, examination and testing process to make any necessary modifications to the protocol as may become necessary. During such inspection and disassembly of the specified components of the subject vehicle Plaintiff's and Intervenor's expert and videographer shall be entitled to be present and video tape and memorialize the process of the removal, examination and testing process. Such inspection and disassembly of the specified components of the subject vehicle shall not take place sooner than four (4) weeks from October 17, 2007 (to wit: November 19, 2007) in order to permit Plaintiff and Intervenor time to conduct such surrogate testing and additional testing that is non-destructive of the evidence as they deem necessary prior to Defendant's removal, examination and testing process, provided appropriate notice of the intent to conduct such testing is given.

It is so **ORDERED**.

The United States Court Clerk for the Northern District of West Virginia shall provide a copy of this Order to counsel of record.

DATED: October 24, 2007 at 9:19 a.m. EDT.

/s *John S. Kaull*
JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE